

COUNTERFEIT CURRENCY DETECTION & RESPONSE

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INDIANA STATUTE

IC 35-43-5-2

* Counterfeiting; false or fraudulent sales receipts; forgery; application fraud

- * (a) A person who knowingly or intentionally:
 - * (1) makes or utters a written instrument in such a manner that it purports to have been made:
 - * (A) by another person;
 - * (B) at another time;
 - * (C) with different provisions; or
 - * (D) by authority of one who did not give authority; or
 - * (2) possesses more than one (1) written instrument knowing that the written instruments were made in a manner that they purport to have been made:
 - * (A) by another person; Indiana Code 2015
 - * (B) at another time;
 - * (C) with different provisions; or
 - * (D) by authority of one who did not give authority; commits counterfeiting, a Level 6 felony.

IMPORTANT STATUTORY ELEMENTS

First Application:

- * Knowing & Intentionally
- * Utters
- * By authority of one who did not give authority

Second Application:

- * Possesses more than one
- * Knowing
- * By authority of one who did not give authority

FEDERAL STATUTE

18 U.S. Code § 472 - Uttering counterfeit obligations or securities

- * Whoever, with intent to defraud, passes, utters, publishes, or sells, or attempts to pass, utter, publish, or sell, or with like intent brings into the United States or keeps in possession or conceals any falsely made, forged, counterfeited, or altered obligation or other security of the United States, shall be fined under this title or imprisoned not more than 20 years, or both.

IMPORTANT STATUTORY ELEMENTS

Intent to Defraud

Passes or utters

- * Or attempts

Falsely made, forged, counterfeit, or altered

STATE VS. FEDERAL

Passing a counterfeit bill satisfies the elements of either code

However, federal counterfeiting is investigated by the U.S. Secret Service whose priority is larger, organized counterfeiting rings

State counterfeiting statute can be investigated by any level of local law enforcement (city/town, county, state)

Counterfeiting that you will encounter should always be reported at the local level first

Investigation can always be escalated but we don't want to 'cry wolf' to USSS without knowing it is appropriate

WHAT TO DO IF YOU SUSPECT A COUNTERFEIT BILL

Mistaken or Malicious, your response should be the same:

- Retain the bill
- Covertly call the police
- Passively attempt to keep the subject on site
 - However, no counterfeiting case, big or small, is worth your safety

TAKE AWAYS

Awareness
Deterrence
Detection
Response